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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,675	10/30/2001	Rachel Kuller	10011417-1	1411

7590 07/28/2003  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

MAYES, MELVIN C

ART UNIT	PAPER NUMBER
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1734

DATE MAILED: 07/28/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/020,675

Applicant(s)

KULLER ET AL.

Examiner

Melvin Curtis Mayes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 26 is/are allowed.
- 6) ☒ Claim(s) 1-11, 13, 17-25 and 27-30 is/are rejected.
- 7) ☒ Claim(s) 12 and 14-16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Allowable Subject Matter***

(1)

The indicated allowability of claims 9-11, 13 and 17 is withdrawn in view of the newly discovered reference(s) to Conwell et al. Rejections based on the newly cited reference(s) follow.

***Claim Rejections - 35 USC § 103***

(2)

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

(3)

Claims 1-4, 6, 19, 21, 22, 25 and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over IBM Technical Disclosure Bulletin.

IBM Technical Disclosure Bulletin discloses a document binding system comprising: a printer 10 for producing a sequence of copy sheets; double-coated tapes on backing web 20 fed from a supply spool or reel 19; a transfer device such as a drum 25 for transfer of double-coated tape from the backing web to the printed copy sheets.

By providing the printer with a reel of double-coated tape on a backing web and transfer device for transfer of the tape to printed sheets, the printer is obviously provided with an adhesive station applying adhesive film and a backing sheet to selected media passing through the printer. By providing double-coated tape on a backing web on a reel, adhesive is obviously

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taken from a reel-form stock comprising a backing, first and second adhesive coating on the backing and a carrier (the backing web), as claimed in Claim 6 and 25.

(4)

Claims 1-4, 7-9, 17-22 and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conwell et al. 6,462,765.

Conwell discloses a method of making printed labels and printer/laminator comprising: supplying, from a roll, a clear label film to a print head 5 such as of ink jet type; and, at a pressure roller/laminator 10, laminating to the printed label film an adhesive liner comprising adhesive 9 on a liner 8 fed from a liner roll 7; and collecting cut finished labels 12. The supplied label film can be any clear plastic film and can vary in thickness depending upon the level of environmental resistance required (col. 1, line 59 – col. 2, line 20).

It would have been obvious to one of ordinary skill in the art to have modified the method of Conwell et al. by selecting the label film from a set of films of varying size for supplying to the ink jet print head because Conwell et al. disclose that the supplied label film can be any clear plastic film and can vary in thickness depending upon the level of environmental resistance required. By selecting from films that vary in thickness depending upon the level of environmental resistance required, Conwell et al. suggest selecting media (films) from a set of media (films) of varying size and thus suggest that it would have been obvious to one of ordinary skill in the art to have provided the printer/laminator as capable of applying print imaging to media (films) selectable within a given range of media (film) sizes and capable of propelling selected media (films) through the printer, as claimed in Claims 1 and 19.

(5)

Claims 1-11, 13, 17-25 and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuzuya et al. 4,927,278 in view of Conwell et al.

Kuzuya et al. disclose a method and printer for printing tape to be used as a label comprising: feeding, via feed roller assembly 73, a transparent image receiving tape to a thermal printing head for printing the tape; and, at rollers 69 and 101, laminating to the printed transparent tape a double-sided tape 27 comprising a transparent base 27a with opposite side first and second adhesive surfaces 27b and 27c and a separable sheet 27d applied to the second adhesive surface (col. 1-6). Kuzuya et al. do not disclose selecting the transparent image receiving tape from a set of tapes of varying size.

Conwell et al. teach that in making printed labels by printing a clear (transparent) label film and laminating to the film an adhesive liner, the supplied label film can be any clear plastic film and can vary in thickness depending upon the level of environmental resistance required (col. 1, lines 59-67).

It would have been obvious to one of ordinary skill in the art to have modified the method of Kuzuya et al. for printing a label by selecting the transparent image receiving tape from tapes of varying thickness, as taught by Conwell et al., to make printed labels of varying thickness depending upon the level of environmental resistance required. By selecting for the method and printer of Kuzuya et al. a transparent tape from tapes that vary in thickness depending upon the level of environmental resistance required, as taught by Conwell et al., tape is obviously selected from media (tape) from a set of media (tapes) of varying size, and it would have been obvious to one of ordinary skill in the art to have provided the printer as capable of

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applying print imaging to tapes (media) selectable within a given range of media (tape) sizes and capable of propelling selected media (tape) through the printer, as claimed in Claims 1 and 19.

***Allowable Subject Matter***

(6)

Claim 26 is allowed.

(7)

Claims 12 and 14-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

(8)

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The references disclose making labels, etc. by laminating adhesive carried on a backing to a printed substrate.


(9)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melvin Curtis Mayes whose telephone number is 703-308-1977. The examiner can normally be reached on Mon-Fri 7:00 AM - 3:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on 703-308-3853. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

  
Melvin Curtis Mayes  
Primary Examiner  
Art Unit 1734

MCM  
July 22, 2003